

IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
DISTRICT OF MARYLAND

In re:	)	Case No. 08-27450
	)	Chapter 13
ALAN BRIAN FABIAN,	)	
	)	
Debtor.	)	
_____	)	Adv. Proc. No. 14893
	)	
ALAN BRIAN FABIAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
INTERNAL REVENUE SERVICE,	)	
	)	
Defendant.	)	
_____	)	

**OBJECTION TO ENTRY OF DEFAULT**

The United States, as the real party in interest and on behalf of the named federal defendant, the Internal Revenue Service, hereby objects to Plaintiff's request for Entry of Default and avers the following:

1. Plaintiff filed the Complaint with the United States Bankruptcy Court for the District of Maryland on December 29, 2014 (Docket Entry No. 1).
2. Neither the Chief Counsel of the Internal Revenue Service nor the United States Attorney's Office in Baltimore have any record of receiving a summons with respect to the Complaint in this adversary action. Additionally, Plaintiff did not certify service of the summons to the Court.
3. The United States filed a motion to extend the time to answer or otherwise file a responsive pleading on February 2, 2015. This Court granted the United States'

Motion to Extend Time to Answer on February 11, 2015. The Order extended the time to answer or otherwise respond to March 6, 2015.

4. Plaintiff objected to the United States' motion for an extension on February 18, 2015.<sup>1</sup>

5. Plaintiff filed a Request for Entry of Default on February 18, 2015.

WHEREFORE, the United States, as the real party in interest and on behalf of the named federal defendant, the Internal Revenue Service, prays that this Court:

- A. Deny the Plaintiff's request for Entry of Default and allow the United States until March 6, 2015 to answer or otherwise respond to Plaintiff's Complaint as per the Order dated February 11, 2015, and
- B. Order such further relief as the Court deems just and equitable.

DATED this 20<sup>th</sup> of February, 2015

CAROLINE D. CIRAULO  
Principal Deputy Assistant Attorney General

/s/ Vassiliki E. Economides  
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<sup>1</sup> The Court had already granted the motion to extend time to answer; this objection is therefore moot.

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the United States' OBJECTION TO ENTRY OF DEFAULT has been made on February 20<sup>th</sup>, 2015, via the CM/ECF system, to the following:

Alan Brian Fabian  
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*Pro se*

/s/ Vassiliki E. Economides  
VASSILIKI ELIZA ECONOMIDES  
Trial Attorney, U.S. Department of Justice